

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**BRADLEY LEE VANSANDT,**

**Defendant.**

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**Case No. 07-5072-01-CR-SW-RED**

**ORDER**

Before the Court are Defendant Bradley Vansandt's Motion to Dismiss Pursuant to Federal Rule of Criminal Procedure 12(b) (Doc. 45), the Government's Response (Doc. 69), Defendant's Reply (Doc. 72), and the Report and Recommendation of the United States Magistrate Judge (Doc. 81). Upon careful and independent review of the pending motion, the suggestions filed by the parties in regard to said motion, and the applicable law, the Court hereby ADOPTS the Report and Recommendation of the United States Magistrate Judge (Doc. 81) in full. Accordingly, it is hereby **ORDERED** that Defendant's Motion to Dismiss Pursuant to Federal Rule of Criminal Procedure 12(b) (Doc. 45) is **DENIED** without prejudice.

**IT IS SO ORDERED.**

DATE: September 29, 2008

/s/ Richard E. Dorr

RICHARD E. DORR, JUDGE  
UNITED STATES DISTRICT COURT